

M/HW

FILED

7-29-2008
JUL 29 2008 YM

RETURN OF SHERIFF

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT.

7/17, 20 08

Witness(es) for the STATE OF OHIO, Plaintiff:

I received this Writ and served the same by copy on the date shown on the reverse hereof (date of service). Those marked "P" by serving PERSONALLY; those marked "R" by COPY LEFT AT USUAL PLACE OF RESIDENCE; and "NF" indicating those witnesses NOT FOUND.

SERVICE UPON
DENISE MURRAY
SECRETARY

DAVE VORE
Sheriff, Montgomery County, Ohio

By:

DEPUTY

DEP. M.W. 74

SERVICE ON

(1)

MILEAGE

POSTAGE

TOTAL

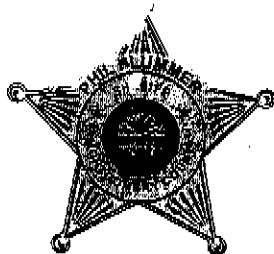
WITNESSES \$

12⁰⁰

\$18⁰⁰

\$42

\$30⁴²



MONTGOMERY COUNTY SHERIFF'S OFFICE

AFFIDAVIT OF SERVICE OF PROCESS

MONTGOMERY COUNTY SHERIFF'S OFFICE
SHERIFF PHILIP PLUMMER

Phil Plummer, Sheriff
345 West Second Street
P.O. Box 972
Dayton, OH 45422-2427

CASE NO.: 08M51217, Federal Court No. 08 CV 4016

SUBSTITUTE SERVICE ON: NATIONAL CITY MORTGAGE

BY SERVING: DENISE MURRAY

SERVED AT: 3232 NEWMARK DR , DAYTON OH

DATE SERVED: 07-17-2008

COMMENTS: I DECLARE THAT I AM A CITIZEN OF THE U.S., OVER THE AGE OF 18, NOT A PARTY TO THIS ACTION AND I RESIDE WITHIN THE BOUDARIES OF THE STATE WHERE SERVICE WAS ATTEMPTED. I AM AUTHORIZED BY LAW TO PREFORM SAID SERVICE. I DECLARE THAT UNDER PENALTY OF PURJURY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT AND THIS AFFIDAVIT WAS EXECUTED ON:

DATE: 07-18-2008

IN SAID MONTGOMERY COUNTY
STATE OF OHIO

SERVED BY: *DEPMW 74*

74 Dep Zura

SHERIFF PHIL PLUMMER
SHERIFF OF MONTGOMERY
COUNTY, DAYTON OHIO

NOTARY: *Patricia A. Groves*

PATRICIA A. GROVES
PATRICIA A. GROVES, Notary Public
In and for the State of Ohio
My Commission Expires April 20, 2009

SEAL

**** REPORT COMPLETED ****



AN EQUAL OPPORTUNITY EMPLOYER

8872

2120 - Served 2220 - Not Served 2620 - Sec. of State
 2121 - Alias Served 2221 - Alias Not Served 2621 - Alias Sec. of State

SUMMONS (This form replaces CCM 0646, CCMH 0646, CCMH 0651, CCMD 0648, and CCMD 0649-2 thru 6)

RETURN

(3/07/08) CCM N649

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 FIFTH MUNICIPAL DISTRICT

08M5 1217

STEVE MILLER, BILL WESLEY, JANE KRANZ, KATHI
 YARBOROUGH, SANTIAGO RESTREPO, JAMES SALVATORI,
 SCOTT LYNCH, MAUREEN SCHECHTMAN, KEVIN WILLIAMS,
 TERRY WARD, LIDIA BRAVO, LIKIYA KRASILNIKOVA, TOM
 MARTELO, CARLOS RESTREPO, LOUISE SKINIOTES,
 ALEXANDER SKINIOTES, BRIAN PATTERSON and CLIFF
 ASBURY,
 Plaintiffs,

vs.

NATIONAL CITY CORPORATION, NATIONAL CITY BANK
 d/b/a NATIONAL CITY MORTGAGE and NATIONAL
 CITY MORTGAGE COMPANY,
 Defendants.

SECOND DUPLICATE ORIGINAL SUMMONS

To each Defendant:

YOU ARE SUMMONED and required:

1. To file your written appearance by yourself or your attorney and pay the required fee in:

- ☐ District 1: Richard J. Daley Center; 50 West Washington, Room 602; Chicago, IL 60602
☐ District 2: 5600 Old Orchard Rd., Rm 136; Skokie, IL 60077 ☒ District 5: 10220 S. 76th Ave., Rm 121; Bridgeview, IL 60455
☐ District 4: 1500 Maybrook Dr., Rm 236; Maywood, IL 60153

on August 12, 2008, between the hours of 8:30 a.m. and 2:30 p.m.;

☐ District 3: 2121 Euclid, Rm 121; Rolling Meadows, IL 60008 ☐ District 6: 16501 S. Kedzie Pkwy., Rm 119; Markham, IL 60428
 on _____, before 9:00 a.m.

2. File your answer to the complaint before 9:00 a.m. as required by the applicable subsections of Paragraph 3 or 4
 in the NOTICE TO THE DEFENDANT on the reverse side.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN
 THE COMPLAINT, A COPY OF WHICH IS HERETO ATTACHED.

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of
 service and fees, if any, immediately after service, and not less than 3 days before the day for appearance. If service cannot
 be made, this summons shall be returned so endorsed.

This summons may not be served later than 3 days before the day for appearance.

THERE WILL BE A FEE TO FILE YOUR APPEARANCE. SEE FEES ON THE REVERSE SIDE OF THIS FORM.

Atty. No.: 38920Name: Bruggeman, Hurst & Associates, P.C.Atty. for: PlaintiffsAddress: 20012 Wolf Road, Suite 200City/State/Zip: Mokena, Illinois 60448Telephone: (708) 478-6900

WITNESS, _____

DOROTHY BROWN JUL 08 2008

DOROTHY BROWN, Circuit Court Clerk

Date of Service: 7/17, 08
 (To be inserted by officer on copy left with Defendant or other person)

SEE REVERSE SIDE

** Service by Facsimile Transmission will be accepted at:

(Area Code) _____ (Facsimile Telephone Number) _____

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

ORIGINAL COURT FILE

(3/07/08) CCM N649

APPEARANCE FEES INCLUDE A COUNTY LAW LIBRARY FEE OF \$13.00, THE COURT AUTOMATION FEE OF \$15.00, A DOCUMENT STORAGE FEE OF \$15.00, THE COURT SERVICES FEE OF \$25.00, AND THE MANDATORY ARBITRATION FEE OF \$10.00 WHERE APPLICABLE.

JURY FEES ARE AS FOLLOWS:

APPEARANCE FEES (BASED ON AMOUNT OF CLAIM) (ALL CASES; NO DISPUTE RESOLUTION CHARGED)

FORCIBLE DETAINER (POSSESSION ONLY)	\$158.00
\$1500.00 OR LESS	\$158.00
\$1500.00 TO \$15,000.00	\$168.00
MORE THAN \$15,000.00	\$188.00

CLAIMS FOR DAMAGES NOT IN EXCESS OF \$10,000.00

*SIX-PERSON	\$12.50
*TWELVE-PERSON JURY	\$25.00 or
	\$12.50 if another party paid for a jury of six

CLAIMS FOR DAMAGES NOT IN EXCESS OF \$15,000.00

*SIX-PERSON	\$115.00
*TWELVE-PERSON JURY	\$230.00 or
	\$115.00 if another party paid for a jury of six

CLAIMS FOR DAMAGES IN EXCESS OF \$15,000.00

*TWELVE-PERSON JURY	\$230.00
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*THESE FEES MAY BE WAIVED BY APPROPRIATE COURT ORDER. YOU HAVE THE RIGHT TO FILE A PETITION SEEKING SUCH AN ORDER.

NOTICE TO PLAINTIFF

You **MUST** select a return day of:

not less than 14 or more than 40 days after issuance of summons if amount claimed is \$5000 or less;

not less than 21 or more than 40 days after issuance of summons if amount claimed is in excess of \$5000.

NOTICE TO DEFENDANT

1. If the complaint is notarized, your answer must be notarized.

For District 1 Cases Only:

2. On the specified Return Day, one of the following may occur:

- a. If you are sued for \$5000.00 or less, you need not file an answer unless ordered to do so by the Court.

- (i) If Plaintiff is not present, the case may be dismissed for want of prosecution.

- (ii) If you have not filed an appearance, or you have filed an appearance and are not present, the Plaintiff may obtain an ex parte default judgment against you for the amount claimed.

- (iii) If you have filed an appearance and are present on Return Day, trial may be held that day, or may be set for another day certain.

- b. If you are sued for more than \$10,000.00, and if you have filed your appearance on time, you must file your answer no later than 10 days after the appearance date (return date) specified on the front of this form. If you have not filed your appearance or answer on time, the Plaintiff may obtain an ex parte default judgment against you for the amount claimed. If Plaintiff is not present for the Default call, the case may be dismissed for want of prosecution. If you filed your appearance and have not filed your answer on time the Plaintiff may motion the court to enter a judgment.

3. Late filing of an appearance or answer will not relieve you from a judgment or default order except by court order.

For District 2, 3, 4, 5 and 6 Cases:

4. If you are sued for more than \$5000.00, you have 10 days from the Return Day to answer or otherwise plea.

5. On the specified Return Day, if you are sued for \$5000.00 or less, you need not file an answer unless ordered to do so by the Court.

6. On the specified Status/Trial Day, one of the following may occur:

- a. If Plaintiff is not present, the case may be dismissed for want of prosecution.

- b. If you have not filed an appearance, or you have filed an appearance and are not present, the Plaintiff may obtain an ex parte default judgment against you for the amount claimed.

- c. If you have filed an appearance and are present on Status/Trial Day, trial may be held that day, or may be set for another day certain.

The following is applicable to District 3 cases only:

7. This case may/may not be heard on the day for appearance specified in summons.

8. If the claim is for personal injury, or is a civil case in which Plaintiff has filed a jury demand, you will be required to file your appearance in person or by attorney Return Day, and your answer as required by Par. 2(b) above. These cases will be assigned and heard in the Civil Jury Room _____ unless otherwise ordered by the Presiding Judge. Neither Plaintiff nor Plaintiff's attorney will be required to be present on Return Day. The case will be set for Status at 9:00 a.m., approximately 60 days from the date of filing. Plaintiff and Defendant will be required to appear in court on that status day.

9. Trial Rights of Property, Detainers, and Revivals of Judgment, Pro Se, and Forcible Detainer suits are returnable in Room _____ and are disposed of on a Return Day unless otherwise ordered by the Court.

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS